

## DECISION RECORD

Reference: Environmental Assessment for Grazing Authorization, #NM-060-99-038

Decision: It is my decision to authorize the issuance of a ten year grazing permit to Robert Hooten for the Bureau of Land Management grazing allotment #63082. The permit will authorize 2 cows yearlong at 100% Federal Range from March 1 to the end of February, for 24 Animal Unit Months (AUM's). Any additional mitigation measures identified in the environmental impacts sections of the referenced environmental assessment have been formulated into stipulations, terms and conditions. Any comments made to this proposed action were considered and any necessary changes have been incorporated into the environmental assessment.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470).

The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, 88201, and must state clearly and concisely your specific points.

Signed by T. R. Kreager  
Assistant Field Manager

4/15/99  
Date

**ENVIRONMENTAL ASSESSMENT  
for  
GRAZING AUTHORIZATION**

**ALLOTMENT 63082, SECTION 3**

**EA-NM-066-99-038**

**November, 1998**

**U.S. Department of the Interior  
Bureau of Land Management  
Roswell Field Office  
Roswell, New Mexico**

## **I. Introduction**

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing permit/lease on allotment #63082.

The scope of this document is limited to the effects of issuing a 10 year grazing permit, other future actions such as range improvement projects will be addressed in a project specific environmental assessment. There are no current plans for additional management actions on this allotment.

### **A. Purpose and Need for the Proposed Action**

The purpose of issuing a new grazing permit would be to authorize livestock grazing on public lands on allotment #63082. The permit would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, and 4130.3-2.

### **B. Conformance with Land Use Planning**

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

### **C. Relationships to Statutes, Regulations, or Other Plans**

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

## **Proposed Action and Alternatives**

### **A. Proposed Action:**

The proposed action is to authorize Robert Hooten a grazing permit for the Helms allotment #63082. The permit would authorize 2 Cattle yearlong at 100 percent federal land for 24 Animal Unit Months (AUM's).

### **B. No Permit authorization alternative:**

This alternative would not issue a new grazing permit. There would be no livestock grazing authorized on public land within allotment #63082.

## **III. Affected Environment**

### **A. General Setting**

Allotment #63082 is located in Lincoln county, approximately 15 miles south of Carrizozo, New Mexico. The allotment consists of 276 acres of public land, private land and state land also exist within this ranch. Private and state land are not accounted on the ranch by the BLM because of the low amounts of federal acreage.

This allotment lies within the boundaries of the Roswell Grazing District established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands inside the Grazing District boundary is governed by section 3 of the TGA. Due to the low amount of public land within the allotment, livestock numbers for the entire ranch are not controlled under this section 3 permit. The permittee is billed for the amount of forage available for livestock on federal land. Vegetation monitoring studies are used to determine the allowable number of livestock on the BLM lands within the allotment.

The landscape is Desert grassland with arroyos dissecting the area. The flow of the arroyos feed into the Tularosa Basin. More detailed information of the area is discussed under the affected resources section.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Floodplains, Wetlands/Riparian Zones, Threatened or Endangered Species, Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

### **B. Affected Resources**

1. Soils: In general, the soils in the area are Malrgo, Reflection, and Gaboldon series. The soils vary from very shallow to very deep, are well drained, and found on nearly level to steep sloped areas. The soils are derived predominately from limestone. For in depth soil information, please refer to the Soil Survey of Lincoln County New Mexico, published by the Natural Resource Conservation Service(NRCS). A copy of this publication may be reviewed at the BLM Roswell Field Office or at a local NRCS office.

2. Vegetation: This allotment is within the grassland vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the grassland community is that grass species typically comprises 75% or more of the potential plant community. Short-grass, mid-grass, and tall-grass species may be found within this community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors and past resource uses.

The ecological (range) site on the allotment is Sandy SD-2. Range site descriptions are available for review at the Roswell BLM office or any Natural Resources Conservation Service office.

A rangeland inventory for vegetation production and ecological range site condition was performed on this allotment in 1991. Analysis of the inventory data indicates that usable forage is available for 2 Animal Units yearlong. Copies of the inventory data are available at the Roswell Field Office.

3. Wildlife: Game species occurring within the area include mule deer, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. **Livestock Management:** The allotment is operated as a cow/calf, yearling cattle and sheep ranch. The Eppers West ranch consists of six pastures and two traps, which aid in livestock movement and restraint. Water wells, pipeline systems and earthen reservoirs provide livestock water throughout the allotment. Rotation of livestock through the pastures is used to promote proper grazing and vegetation conservation. Precipitation patterns play a role in determining the rotation pattern, dry areas are allowed to rest as much as possible. The allotment operators stay flexible with livestock numbers and maintain conservative numbers.

5. **Visual Resources:** The allotment is located in a Class III Visual Management Area. The Class III rating means that contrasts to the basic elements caused by a management activity may be evident and begin to attract attention in the landscape. The changes, however should remain subordinate to the existing landscape.

6. **Water Quality:** No perennial surface water is found on the Public Land on this allotment.

7. **Air Quality:** Air quality in the region is generally good. The allotment is in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

8. **Recreation:** Since this allotment has no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that may occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails.

Due to the fact that public land boundaries are not marked adequately or identified by signs and/or fences, the general public may be reluctant to use these public lands in fear of being in trespass on private land.

9. **Cave/Karst:** This allotment is located within a designated area of low karst and cave potential. A complete significant cave or karst inventory has not been completed for the public lands located in this grazing allotment, no significant cave or karst features are known to exist within this allotment.

## **IV. Environmental Impacts**

### **A. Impacts of the Proposed Action**

1. Soils: Proper utilization levels and grazing distribution patterns are expected to retain sufficient vegetative cover on the allotment, this will maintain the stability of the soils. Soil compaction and excessive vegetative use will occur at small, localized areas such as bedding areas, watering locations, and along trails. Positive affects from the proposed action may include acceleration of nutrient cycling, and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration
2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock as well as other herbivores. The area has been grazed by livestock since the early part of the 1900's, if not longer. The area evolved with large ungulate native species and is able to withstand livestock use. Ecological condition and trend is expected to remain stable and/or improve over the long term with the proposed authorized number of livestock and existing pasture management. Rangeland monitoring data indicates that there is an adequate amount of forage for the multiple resource use objectives.
3. Wildlife: Wildlife will continue to compete with domestic livestock for forage and browse. Cover, and other habitat requirements for wildlife will remain the same as the existing situation. With proper utilization levels there will be adequate cover and forage for wildlife species; resulting in sustainable wildlife populations for those species that occupy the area.
4. Livestock Management: No adverse impacts are anticipated under the proposed action.
5. Visual Resources The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotment will remain the same.
6. Water Quality -. Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.
7. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.
8. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within this allotment. Some of the public lands are accessible via county maintained roads or U.S. highway 54. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views, or to hike

without seeing signs of livestock. However, grazing can benefit some forms of recreation, such as hunting, by creating new water sources for game animals.

9. Caves/Karst: No known significant caves or karst features are known to exist on public lands within this allotment. No negative impacts are expected under the proposed action.

### **B. Impacts of the No Livestock Grazing Alternative.**

1. Soils: Soil compaction would be reduced on the allotment around old trails and bedding grounds, there would be a small reduction in soil loss on the allotment.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same, however, there would be small changes in the relative percentages of these species. Vegetation will continue to be utilized by wildlife. There would be an increase in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1(b)(1)]. The intermingled land status on the allotment makes it economically unfeasible to fence out the public land and use only the private land. The remaining private and state land could not support the number of livestock currently authorized and the lower number of livestock would not provide the level of potential income the operator is accustomed to. The allotment operator would also lose the investment made for the acquisition of the permit and improvements installed privately.

5. Visual Resources: There would be no change in the visual resources.

6. Water Quality: There could be a slight improvement in water quality due to the minor reductions in sediment loading during stormflow.

7. Air Quality: There would be a slightly less dust under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.

8. Recreation: Impacts would be very minor under the alternative. No positive impacts from livestock watering locations would occur.

9. Caves/Karst: Impacts would be the same as the proposed action.



## **V. Cumulative Impacts**

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment #63082 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.

If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the permitted numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

## **VI. Residual Impacts**

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

## **VII. Mitigating Measures**

Vegetation monitoring studies will continue to be conducted and the permitted numbers of livestock will be adjusted if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the **proposed action** will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The **proposed action** will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

---

T. R. Kreager,  
Acting Assistant Field Office Manager - Resources

---

Date